



PUBLIC NOTICE

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON REGION 39 (TENNESSEE) 800 MHZ NPSPAC REGIONAL PLAN AMENDMENT

PR Docket No. 93-58

Comments Due: July 18, 2022

Introduction. By this Public Notice, the Public Safety and Homeland Security Bureau (Bureau) seeks comment on the Region 39 (Tennessee)¹ - Regional Planning Committee's (RPC) proposed modifications to its 800 MHz National Public Safety Planning Advisory Committee (NPSPAC) Plan.²

Background. The Commission's policies require each RPC to prepare and submit a regional plan for public safety use of the NPSPAC band in their respective Region.³ The RPCs may update their regional plan as needed to reflect changes in the disposition of NPSPAC channels within the region, technical requirements, or procedures for assigning channels.⁴

Region 39 Amendment. On January 21, 2021, the RPC submitted an amendment to the Region 39 - 800 MHz NPSPAC Plan. In its amendment, the RPC proposes to assign additional NPSPAC channels to Davidson County (Appendix D) and modify the text of the plan to, among other things:

- Update section 3.4.3 by adding "in-building" coverage as a variable for determining system coverage;⁵
- Modify the ways an entity can define its coverage area in section 3.4.5;⁶
- Specify in section 3.4.8 that use of the five nationwide interoperability channel pairs will be coordinated with adjacent regions;⁷

¹ The Region 39 (Tennessee) 800 NPSPAC planning area includes the entire state of Tennessee.

² See Region 39 NPSPAC Plan Update, PR Docket No. 93-58 (dated Oct. 1, 2020 but filed in the docket on Feb. 24, 2021) (Plan Amendment).

³ See 47 CFR § 90.16 (no assignments will be made in spectrum designated for the Public Safety National Plan until a regional plan for the area has been accepted by the Commission); see also *Development and Implementation of a Public Safety National Plan and Amendment of Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/866-869 MHz Bands by the Public Safety Services*, Gen. Docket No. 87-112, Report and Order, 3 FCC Rcd 905 (1987) (*National Plan Report and Order*).

⁴ See *National Plan Report and Order*, 3 FCC Rcd at 911 para. 57.

⁵ Plan Amendment at 9-10.

⁶ *Id.* at 11.

⁷ *Id.* at 11-12.

- Give special consideration to licensees seeking mobile repeater (MO3) operation on NPSPAC channels in order to ensure proper frequency separation;⁸
- Clarify criteria for determining co-channel or adjacent-channel interference;⁹
- Revise section 4.1.5 to prohibit use of encryption on the nationwide interoperability tactical channels per the Commission's rules;¹⁰
- Clarify in section 4.3 that the nationwide interoperability channels may not be used as trunked channels in a trunked radio network;¹¹
- Add a new section 4.7 to clarify acceptable emissions for analog and digital radio systems; and¹²
- Add additional language to section 5.2 detailing the region's frequency allocation process.¹³

Region 39's RPC received concurrence letters for the proposed Plan Amendment from its eight adjacent regions: Region 1 (Alabama), Region 4 (Arkansas); Region 10 (Georgia); Region 17 (Kentucky); Region 23 (Mississippi); Region 24 (Missouri); Region 31 (North Carolina); and Region 42 (Virginia – except counties in Region 20) as well as from two non-border regions: Region 37 (South Carolina) and Region 44 (West Virginia).¹⁴

The Bureau has reviewed the Region 39 Plan Amendment and finds that it complies with the applicable Commission rules and policies, and tentatively accepts it.

Request for Comments on the Region 39 Plan Amendment. Prior to taking further action on the RPC's proposal to amend its 800 MHz NPSPAC plan, by this *Public Notice*, we solicit comment on the Region 39 Plan Amendment. The Plan Amendment is available through ECFS at ecfs@fcc.gov under PR Docket No. 93-58.

Instructions for Filing Comments

Pursuant to Section 1.419 of the Commission's rules, 47 CFR § 1.419, interested parties may file comments on the Region 39 Plan Amendment on or before **July 18, 2022**. All comments should

⁸ *Id.* at 13.

⁹ *Id.* at 13-14.

¹⁰ *Id.* at 17-18.

¹¹ *Id.* at 18-19.

¹² *Id.* at 21.

¹³ *Id.* at 22-23.

¹⁴ See Letter from Richard E. Ranson, Chairman Region 1, to Region 39 RPC, PR Docket No. 93-58 (Dec. 22, 2020); Letter from David Baker, Chairman Region 4, to Region 39 RPC, PR Docket No. 93-58 (Oct. 19, 2020); Letter from Ralph Bevan, Chairman Region 10, to Region 39 RPC, PR Docket No. 93-58 (Nov. 16, 2020); Letter from Michael B. Marshall, Vice Chairman Region 17, to John Johnson, Region 39 RPC, PR Docket No. 93-58 (Nov. 18, 2020); Letter from Tom Lariviere, MSRPAC Region 23, to John Johnson, PR Docket No. 93-58 (Dec. 18, 2020); Letter from Scott Bigham, Chairman Region 24, to Region 39 RPC, PR Docket No. 93-58 (Oct. 21, 2020); Letter from Scott Smith, Chairman Region 31, to Region 39 RPC, PR Docket No. 93-58 (Nov. 17, 2020); Letter from Linn Skipper, Chairman Region 37, to Region 39 RPC, PR Docket No. 93-58 (Oct. 6, 2020); Letter from Rodney Thompson, Chairman Region 42, to Region 39 RPC, PR Docket No. 93-58 (Oct. 1, 2020); Letter from Dave Saffel, Chairman Region 44, to Region 39, 800 MHz RPC, PR Docket No. 93-58 (Nov. 16, 2020) (collectively filed Feb. 25, 2021 as an attachment to redline version of the Plan Amendment at 59-68).

reference the subject plan amendment and **PR Docket No. 93-58**.

- **Electronic Filers:** Comments and replies may be filed electronically via ECFS: <http://www.fcc.gov/ecfs>.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail.
 - Filings can be sent by commercial overnight courier or by first-class or overnight U.S. Postal Service mail.¹⁵
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L St, NE, Washington, DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

For additional information, contact Brian Marengo, Brian.Marengo@fcc.gov, of the Public Safety and Homeland Security Bureau, Policy and Licensing Division, (202) 418-0838.

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¹⁵ In response to the COVID-19 pandemic, the FCC has closed its current hand-delivery filing location at FCC Headquarters. We encourage outside parties to take full advantage of the Commission's electronic filing system. Any party that is unable to meet the filing deadline due to the building closure may request a waiver of the comment or reply comment deadline, to the extent permitted by law. *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Filing*, Public Notice, DA 20-304 (rel. Mar. 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.